

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2018-018704-CA-01

SECTION: CA13

JUDGE: Javier A. Enriquez

Deutsche Bank National Trust Company

Plaintiff(s)

vs.

Ariana Birencwajg et al

Defendant(s)

OMNIBUS ORDER

THIS CAUSE having come before the Court on October 14, 2025, upon Notice of Hearing “All Pending Motions,” Plaintiff’s counsel appeared, Defendant Mario Mirabal failed to appear, the considered the Defendant’s Motion to Request Consolidation or Transfer Under Judge Tanya Brinkley’s Oversight [DIN 237]; Defendant’s Motion to Alert the Court of Fraudulent Conveyance and Request for State Attorney and DOJ Investigation [DIN 239]; Defendant’s Notice of Supplemental filing [DIN 242]; Defendant’s Motion to Alert the Court of Fraud, Material Omission, and Request for Judicial Coordination and Relief [DIN 243]; Defendant’s Reopen Case, Alert the Court of Fraudulent Conveyance, Material Omission, and Request for Judicial Review and Coordination; Defendant’s Emergency Motion for Stay Pending Resolution of Defendant’s Emergency Motion to Correct Record and Reverse Remand Due to Clerical Error [DIN 246]; Defendant’s Emergency Motion to Preserve Original Documents, Object to Order Authorizing Substitution of Photostatic Copies and Certify Returned Documents [DIN 247]; Defendant’s Notice of Lis Pendens [DIN 248]; Defendant’s Rule 1.540(d) Motion for Relief from Void Order of December 3, 2024, to Uphold Final Dismissal with Prejudice Entered March 5, 2020, to Declare Extinguishment of Deutsche Bank’s Lien, and to Issue a Declaration Quieting Title in Favor of Defendants Mario Mirabal and Ariana Birencwajg [DIN 251]; Defendant’s

Affidavit of Forensic Facts in Support of Defendant's Rule 1.540(d) Motion [DIN 255]; Defendant's Motion for Judicial Notice [DIN 257]; Defendant's Reopen Case, Alert the Court of Fraudulent Conveyance, Material Omission, and Request for Judicial Review and Coordination [DIN 258]; Defendant's Addendum to Pending Rule 1.540(d) Motion and Supporting Relief Based on Fraudulent "Agreed Order" of March 9, 2020 [DIN 259]; Defendant's Motion and Defendant's Response to Plaintiff's Motion to Strike Filings and Declare Defendant a Vexatious Litigant [DIN 260]; Defendant's Addendum to Defendant's Rule 1.540(d) Motion (Pooling and Servicing Agreement Violation & Inconsistency Index (IndyMac INDX 2007-AR5)) [DIN 262]; Defendant's Renewed Motion for Ruling on Pending Motion to Strike Improper Filing by Non-Party KP Investment [DIN 264]; Defendant's Formal Objection to Special Set Hearing Request and Notice of Pending Motion to Strike and Jurisdictional Conflict [DIN 265], and Defendant's Notice of Unauthorized Setting and Preservation of Objection to October 14, 2024 Hearing, filed October 14, 2025. The Court having reviewed the aforementioned motions, heard argument of Plaintiff, and being otherwise fully advised in the premises; it is hereby ORDERED and ADJUDGED:

The Motions listed above are **DENIED with prejudice**. To the extent the Lis Pendens [DIN 248] was recorded, it is dissolved as moot, and the Court's filed is CLOSED.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 14th day of October, 2025.



2018-018704-CA-01 10-14-2025 3:54 PM

Hon. Javier A. Enriquez

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

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